WARRANT

FOR

SPECIAL TOWN MEETING

Thursday, June 4, 1998

at the
Wayland High School Field House
7:45PM

WAYLAND PUBLIC LIBRARY
5 CONCORD ROAD
WAYLAND, MA 01778

ADJOURNED MEETINGS

It is anticipated that, if adjourned meetings are necessary to complete action on these warrants, they will be held on the following dates, subject to Town Meeting approval:

June 8	-	Monday
June 10	-	Wednesday
June 11	-	Thursday

and thereafter, as may be necessary, on Mondays, Wednesdays and Thursdays as Town Meeting directs. Voters are reminded that there is no smoking permitted on school grounds.

If you have any questions about the Articles, please attend the **Warrant Hearing on Tuesday, May 26, 1998, at 8:00p.m.** at the Town Building. You may also call the Executive Secretary's office at 358-7755 before Town Meeting.

NOTICE REGARDING MOTIONS

This warrant for Wayland Town Meeting is issued by the Board of Selectmen and is served upon all residents by mail and by posting at the Town Building, the Wayland Public Library, the Cochituate Fire Station or the Cochituate Post Office, and at the Happy Hollow School. It contains the agenda of subjects to be acted upon, *i.e.*, the articles.

By State law, no action at the town meeting is valid unless the subject matter is contained in the warrant. This requirement means only that the subjects to be acted upon must be sufficiently stated in the warrant to apprise voters of the nature of the matters with which the meeting is authorized to deal. It does not require that the warrant contain an accurate forecast of the precise action which the meeting will take upon those subjects. A valid motion at town meeting may differ from the underlying article, but it must be within the scope of that article.

If you are in doubt about the action town meeting might take under an article, you should plan to attend the town meeting in person.

SPECIAL TOWN MEETING

JUNE 4, 1998

TABLE OF CONTENTS

		Page Number
	Notice	2
Article		
1.	Acceptance, Acquisition, Planning, Design and Construction of Lodge Road	3
2.	Amend Section 198-1505 of the Code (Zoning By-Law) of the Town of Wayland	4
3.	Amend Section 198-1505.3 of the Zoning By-Laws	5
4.	Amend Zoning By-Law, Section 198-1505.6.1. Wireless Communications Services District, by Using "Facilities" Instead of "Towers," and by Adding an Additional Exemption	5
5.	Acquire Sewer Treatment Plant on Former CNA/Raytheon Land	6
6.	Accept Provisions of Massachusetts General Laws Chapter 41, Section 108L	7
7.	Acquire the Dow Property on Commonwealth Road	7
8.	Purchase Dow Property on Route 30 for Conservation and Recreation Purposes	8
9.	Acquire Residentially Zoned Portion of Former CNA/Raytheon Land	9
	Volunteer Form	12

COMMONWEALTH OF MASSACHUSETTS

WARRANT

for the

SPECIAL TOWN MEETING OF 1998

Town of Wayland in the County of Middlesex

To any of the Constables of the Town of Wayland, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Wayland, who shall be qualified to vote in accord with the provisions of General Laws Chapter 51, Section 1, to meet in the Wayland High School Field House on

THURSDAY, JUNE 4, 1998 AT 7:45 P.M.

Notice: The Finance Committee has not had an opportunity to meet to discuss the articles in this warrant and therefore will defer all commentary and recommendations until the Special Town Meeting.

ARTICLE 1: ACCEPTANCE, ACQUISITION, PLANNING, DESIGN AND CONSTRUCTION OF LODGE ROAD

Proposed by: *Board of Road Commissioners* *Estimated Cost: $100,000.00*

To determine whether the Town will vote to accept as a town way Lodge Road, as laid out by the Board of Road Commissioners, to determine whether the Town will vote to authorize the Board of Road Commissioners or the Board of Selectmen, as the case may be, with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain or otherwise, for highway purposes, the fee or any lesser interests, including easements for drainage, slope or otherwise, in, on, over, under and through Lodge Road; to determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Road Commissioners for the planning, design, acquisition and construction of Lodge Road; and to determine whether such appropriation shall be provided by taxation, by appropriation from available funds, by transfer of funds already appropriated for other purposes, by funds received as grants from the Commonwealth or federal government, by borrowing or otherwise.

QUANTUM OF VOTE: Majority for street acceptances - see Massachusetts General Laws Chapter 82, Section 23; two-thirds for appropriation, purchase and exercise of eminent domain powers - see Massachusetts General Laws Chapter 40, Section 14; two-thirds for borrowing - see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 2: AMEND SECTION 198-1505 OF THE CODE (ZONING BY-LAW) OF THE TOWN OF WAYLAND

Proposed by: Petitioners

To determine whether the Town will vote to amend Section 198-1505 of the Code (Zoning By-Law) of the Town of Wayland by adding a new subsection, next in numerical order, thereto, all as follows:

1505.X Wireless Communications Facilities Moratorium

Notwithstanding any other provision in this Zoning By-Law, a moratorium shall be established temporarily suspending the authority of every officer, agency, board, or instrumentality of the Town to approve any sale or lease or issue any permit, special permit, site plan approval, or other approval relating to any wireless communications facility or installation, except as set forth below. This suspension shall be for a period of not longer than twelve (12) months beginning from the end of the Special Town Meeting that acts favorably, in whole or in part, on the provisions of this subsection.

During this 12 month moratorium period, the Planning Board shall study and give appropriate consideration to the location and impacts of wireless communications facilities on inhabitants of the Town and to the overall coordination of the various provisions presently in Section 198-1505 with respect to both the short and long range future. As part of its study, the Planning Board shall solicit, receive, and consider proposals and recommendations from other town boards and interested citizens with respect to suitable improvements and amendments to Section 198-1505 of the Zoning By-Law. Furthermore, the Planning Board shall hold two (2) or more formal hearings to gather public input.

At the conclusion of its study, the Planning Board shall vote approval, approval with amendment, or disapproval of such proposal(s) as come before it as proposed Articles for consideration by the voters at an Annual or Special Town Meeting (as provided for herein) and, in accordance with applicable law, shall submit such Articles and recommendations and reports concerning such Articles for presentation to the aforesaid Town Meeting. Said Annual or Special Town Meeting shall begin not earlier than six (6) months after the end of the Special Town Meeting that acts favorably, in whole or in part, on the provisions of this section.

The moratorium provided for herein shall expire at the end of said Annual or Special Town Meeting and thereafter installation of wireless communications facilities shall be permitted and regulated in accordance with Section 198-1505 as then amended.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE 3: AMEND SECTION 198-1505.3 OF THE ZONING BY-LAWS

Proposed by: Petitioners

To determine whether the Town will vote to amend Section 198-1505.3 (the Wireless Communications Services District) of its Zoning By-Laws by adding to the listed Use Restrictions the following:

"1505.3.1.11. In no event shall any such wireless communications facility be located closer than one-half mile to any school property."

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40, Section 5.

ARTICLE 4: AMEND ZONING BY-LAW, §198-1505.6.1. WIRELESS COMMUNICATIONS SERVICES DISTRICT, BY USING "FACILITIES" INSTEAD OF "TOWERS," AND BY ADDING AN ADDITIONAL EXEMPTION

Proposed by: Planning Board

To determine whether the Town will vote to amend existing Article 15, Overlay Districts, of the Zoning By-Law of the Town of Wayland by using the word "facilities" instead of the word "towers"; and by adding the following new paragraphs to existing §198-1505 thereof, Wireless Communications Services District:

1505.6.1. The following types of wireless communications facilities are exempt from this Article 15:

1505.6.1.4. Wireless communications facilities exempted by this paragraph are permitted in all zoning districts. Wireless communications facilities that are located entirely within steeples, bell towers, spires, cupolas, or other ornamental features of buildings used for religious or municipal purposes are exempt from this §198-1505, provided, however, that:

1505.6.1.4.1. The visibility of such facility shall be minimized;

1505.6.1.4.2. The exterior features of such steeples, bell towers, spires, or cupolas shall not be altered or added to for the purpose of accommodating such facilities; and

1505.6.1.4.3. The applicant has obtained site plan approval under §198-1605 of this Zoning By-Law.

PLANNING BOARD COMMENTS: Currently, the Zoning By-Law does not allow the use of steeples, bell towers, spires, or cupolas for wireless communications services. This article allows as a matter of right, but with site plan approval, the use of such structures – with no exterior modification – for wireless communications services such that all parts of the wireless communications facilities are minimally visible from the exterior of the structures.

ARGUMENTS IN FAVOR (PLANNING BOARD): By allowing the use of these structures for wireless communications services it is anticipated that there will be less need to use other structures and towers where such use would be visible and potentially aesthetically displeasing.

ARGUMENTS OPPOSED (PLANNING BOARD): This exemption might result in more wireless communications facilities being built in the Town than would be built without the exemption.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE 5: ACQUIRE SEWER TREATMENT PLANT ON FORMER CNA/RAYTHEON LAND

Proposed by: Board of Selectmen *Estimated Cost: $250,000.00*

To determine whether the Town will vote to authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, eminent domain, gift or otherwise, for wastewater management purposes or other municipal purposes, the fee or any lesser interest in all or any part of the land, with the improvements and wastewater management systems thereon and thereunder, including appurtenant easements for access and other purposes, located off Old Sudbury Road (Route 27), Wayland, Massachusetts, all as shown on a plan entitled "Compiled Plan Showing Proposed Wastewater Treatment Facilities, Land and Appurtenant Easements to be Acquired by the Town of Wayland," Scale 1 inch = 100 feet, dated March 20, 1998, by the Town of Wayland Town Surveyor's Office, a copy of which plan is on file in the Office of the Town Clerk; to determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen for the acquisition of said land and/or interests therein, and improvements and wastewater management systems thereon and thereunder, including related legal expenses; and to determine whether such appropriation shall be provided by taxation, transfer from unappropriated funds, by transfer from funds already appropriated for another purpose, by grants received from the Commonwealth or Federal Government, by borrowing or otherwise.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40, Section 14 and Chapter 44, Sections 7 and 8.

ARTICLE 6: ACCEPT PROVISIONS OF MASSACHUSETTS GENERAL LAWS CHAPTER 41, SECTION 108L

Proposed by: Petitioners

To determine whether the Town will vote to accept the provisions of Massachusetts General Laws Chapter 41, Section 108L.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 41, Section 108L (printed on page 10 of this Warrant).

ARTICLE 7: ACQUIRE THE DOW PROPERTY ON COMMONWEALTH ROAD

Proposed by: Board of Selectmen *Estimated Cost: Unknown*

To determine whether the Town will vote to authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, eminent domain, gift or otherwise the fee or any lesser interest in the land owned by the Dow Chemical Company off Commonwealth Road and Rice Road, containing 28.2 acres, more or less, in all or any portion of said land, for municipal purposes; to determine whether the Town will appropriate a sum of money for the acquisition of said land or interest therein, including related legal expenses; and to determine whether said appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40, Section 14 and Chapter 44, Section 7.

ARTICLE 8: PURCHASE DOW PROPERTY ON ROUTE 30 FOR CONSERVATION AND RECREATION PURPOSES

Proposed by: Petitioners *Estimated Cost: Unknown*

To determine whether the Town will vote:

(a) to authorize the Board of Selectman, with approval of Town Counsel as to form, to acquire for conservation and recreation purposes by gift, purchase, eminent domain or otherwise, the fee or any lesser interest in the parcel of land described below:

> the property owned by Dow Chemical Company on Route 30 and Rice Road, shown as lots 2, B, and C on plates 48 and 49 of the Town Atlas, comprising 29.4 acres more or less.

(b) to appropriate a sum of money for acquisition of said parcels of land; and

(c) to determine whether said appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, by grant from the Commonwealth or the Federal Government, or otherwise.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40, Section 14 and Chapter 44, Section 7.

ARTICLE 9: ACQUIRE RESIDENTIALLY ZONED PORTION OF FORMER CNA/RAYTHEON LAND

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, eminent domain, gift or otherwise, for municipal and/or school purposes including, but not limited to, highway, passive and active recreation, conservation, health, housing, human services, youth services, senior citizen services, public safety, wastewater management or any combination of such purposes, the fee or any lesser interest in all or any part of the land, with the improvements thereon, located on Old Sudbury Road (Route 27), Wayland, Massachusetts, shown as the residentially zoned portion of the former CNA/Raytheon property containing 34.1 acres of land, more or less, on a plan entitled "Compiled Plan of Land in Wayland Massachusetts Prepared for the CNA/Raytheon Committee," Scale 1" = 100', dated March 20, 1998, by the Town of Wayland Surveyor's Office, a copy of which plan is on file in the Office of the Town Clerk; to determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen for the acquisition of said land or interest therein, including related legal expenses; and to determine whether such appropriation shall be provided by taxation, transfer from unappropriated funds, by transfer from funds already appropriated for another purpose, by grants received from the Commonwealth or Federal Government, by borrowing or otherwise, contingent upon the passage of a ballot question seeking approval of the voters of an exemption of the associated debt service costs from the provisions of proposition two-and-one-half, so-called, at a local election.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40, Section 14 and Chapter 44, Section 7.

§ 108L. Police career incentive pay program; salary increases; reimbursement of cities or towns

There is hereby established a career incentive pay program offering base salary increases to regular full-time members of the various city and town police departments, uniformed members of the department of state police appointed under said section ten, state police detectives appointed under section ten of said chapter twenty-two C, as a reward for furthering their education in the field of policework.

Police career incentive base salary increases shall be predicated on the accumulation of points earned in the following manner: one point for each semester hour credit earned toward a baccalaureate or an associate degree; sixty points for an associate degree; one hundred and twenty points for a baccalaureate degree; and one hundred and fifty points for a degree of master or for a degree in law; provided, that said credits or degrees were earned in courses leading towards a degree in law enforcement or any course or degree program approved by the board of higher education prior to July 1st, 1976. All semester credits and degrees shall be earned in an educational institution accredited by the New England Association of Colleges and Secondary Schools or by the board of higher education, and shall be credited for the purpose of determining points under this section, notwithstanding the date of appointment of an individual to a position described in the first paragraph of this section.

The board of higher education is hereby authorized and directed to establish and maintain a list of approved courses leading to a degree in law enforcement.

Base salary increases authorized by this section shall be granted in the following manner: a three per cent increase for ten points so accumulated, a six per cent increase for twenty-five points, a ten per cent increase for forty points, a fifteen per cent increase for sixty points, a twenty per cent increase for one hundred and twenty points, and a thirty per cent increase for one hundred and fifty points so accumulated.

Any city or town which accepts the provisions of this section and provides career incentive salary increases for police officers shall be reimbursed by the commonwealth for one half the cost of such payments upon certification by the board of higher education. The board of higher education shall certify the amount of such reimbursement to be paid to such city or town from information filed on or before September first of each year with said board, on a form furnished by it, the chief of police, or one of similar rank, of the city or town police department. The board of higher education shall also certify the amount of the career incentive salary increases to be allocated to the members of the department of state police appointed under section ten of chapter twenty-two C from information filed with said board on or before September first of each year by the colonel of state police. Said information shall be filed on a form to be furnished by the board of higher education.

Notwithstanding the provisions of this section, no such regular full-time police officer shall be entitled to such pay increase for points earned after September 1st, 1976; provided, however, that such police officer who is certified as of September 1st, 1976 in the police career incentive program leading to a degree in law enforcement shall only be granted further base salary increases of fifteen per cent for an associate's degree in law enforcement, or sixty points earned toward a baccalaureate degree in law enforcement, a twenty per cent increase for a baccalaureate degree in law enforcement, a thirty per cent increase for a master's degree in law enforcement or for a degree in law; or any police officer enrolled in any course or degree program approved by the board of higher education, prior to July 1st, 1976, shall only be granted further base salary increases of fifteen per cent for an associate's degree or sixty points earned toward a baccalaureate degree, a twenty per cent increase for a baccalaureate degree, and a thirty per cent increase for a master's degree or for a degree in law, provided further, that such percentage increase shall in total, including any previously earned increase, not exceed fifteen per cent for an associate's degree or sixty points earned toward a baccalaureate degree, twenty per cent for a baccalaureate degree, and thirty per cent for a master's degree or for a degree in law, provided further, that any regular full-time police officer commencing such incentive pay program after September 1st, 1976 shall be granted a base salary increase of ten per cent upon attaining an associate's degree in law enforcement or sixty points earned to a baccalaureate degree in law enforcement, a twenty per cent increase upon attaining a baccalaureate degree in law enforcement, and a twenty-five per cent increase upon attaining a master's degree in law enforcement or for a degree in law.

****

You are required to serve this Warrant by posting copies thereof, attested by you, at the Town Building, at the Public Library in Wayland Center, at the Cochituate Fire Station or the Cochituate Post Office, and at the Happy Hollow School, and by mailing or delivering a copy thereof addressed to each residence in the Town fourteen days, at least, before the time appointed for the Special Town Meeting.

Hereof, fail not and deliver this Warrant with your return thereon to the Town Clerk on or before May 19, 1998.

Given under our hands and seals this 18th day of May, 1998.

Mary M. Antes
Marcia P. Crowley
Randy Hoes
Susan W. Pope, Vice Chair
Susan Weinstein, Chair

Selectmen of the
Town of Wayland

Alfred H. Bellows
Jeff R. Dieffenbach, Chairperson
Robert L. Lentz
Robert H. Loring
G. Christopher Riley
Lisa C. Schimmel, Vice Chairperson
Katherine H. Tyrrell

Finance Committee

VOLUNTEER TO SERVE YOUR TOWN

Vacancies on Town boards, committees and commissions occur from time to time. Most positions are appointed by the Board of Selectmen (see I).

Elected positions are usually filled at the annual April election, but if openings occur mid-term, they are filled by appointment until the next annual election. Registered voters, please indicate your interest in order of preference (see II):

I. Appointed boards, committees and commissions:

_____Assessment and Valuation Study
_____Cable TV
_____Conservation
_____Council on Aging
_____CNA/Raytheon
_____Cultural Council
_____Dog By-Law Study Committee
_____Fair Housing
_____Finance
_____Growth Policy
_____Highway/Parks Building Study Comm.
_____Historical
_____Historic District
_____Housing Partnership
_____Information Systems
_____Personnel
_____Public Ceremonies
_____Route 20 Study
_____Route 30 Development
_____Septage Committee
_____Surface Water Quality
_____Technology Services
_____Youth Advisory
_____Zoning Board of Appeals

II. Elected boards, committees and commissions:

_____Assessors
_____Health
_____Housing Authority
_____Park and Recreation
_____Planning
_____Library Trustees
_____Road Commission
_____School
_____Selectmen
_____Trust Funds
_____Water

NAME:_____ADDRESS:_____

HOME TEL._____WORK TEL._____

Applications of interest will be kept on file for one year. You will be contacted as relevant vacancies occur.

Return this completed form to:

Executive Secretary
Town of Wayland
41 Cochituate Road
Wayland, MA 01778

TOWN OF WAYLAND
Board of Selectmen
41 Cochituate Road
Wayland, MA 01778-2697

Bulk Rate
U. S. Postage
PAID
Permit No. 16
Wayland, MA

POSTAL PATRON
WAYLAND, MA 01778